Afghanistan

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

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The constitution states that Islam is the "religion of the state" and that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam." In 2004, the constitution accorded both Shi'a and Sunni Islam equal recognition. The constitution proclaims that "followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law."

The government took limited steps to increase religious freedom, but serious problems remain. Still recovering from more than 30 years of violence and suffering from an ongoing insurgency, the country continued to move toward greater stability and democracy. Residual effects of years of jihad against the USSR, civil strife, Taliban rule, popular suspicion regarding outside influence and the motivations of foreigners, and still weak democratic institutions remain obstacles. Intolerance was manifested in harassment and occasional violence against religious minorities and Muslims who were perceived as not respecting Islamic strictures.

In April 2009 President Karzai signed a law codifying the implementation of Islamic family law for the Shi'a minority. This law implemented the provision of the constitution recognizing the right of the Shi'a minority to adjudicate personal and family matters according to their own school of jurisprudence. The law attracted widespread criticism because of restrictions on the rights of women. International partners of Afghanistan and Afghan civil society groups objected strongly to the law. The president agreed to suspend enactment of the law until the Ministry of Justice had reviewed and amended it. The review process was ongoing at the end of the reporting period.

The country's population is almost entirely Muslim. Non-Muslim minority groups continued to face incidents of discrimination and persecution. Conversion from Islam is understood by both Sunni and Shi'a Islamic clergy and many citizens to contravene the tenets of Islam and Shari'a. Within the Muslim population, relations among the different sects continued to be difficult. Historically, the minority Shi'a community faced discrimination from the majority Sunni population. This discrimination continued. Local Sikh and Hindu populations, although allowed to practice their religion publicly, continued to encounter problems obtaining land for cremation and historically have faced discrimination when seeking government jobs as well as harassment during major celebrations. Most local Christians did not publicly state their beliefs or gather openly to worship.

The U.S. government regularly discusses religious freedom with government officials as part of its overall policy to promote human rights. The U.S. embassy continued to send political, civil society, and religious leaders to programs in the United States. Some Provincial Reconstruction Teams provided assistance through the U.S. military's Commanders Emergency Response Program funds to assist in repairing madrassahs (Islamic religious schools) for local communities.

Section I. Religious Demography

The country has an area of 402,356 square miles and a population of approximately 31 million. Reliable data on religious demography is not available because an official nationwide census has not been conducted in decades.

Observers estimate that 80 percent of the population is Sunni Muslim, 19 percent Shi'a Muslim, and other religious groups less than one percent of the population. According to self-estimates by these communities, there are approximately 4,900 Sikh and 1,100 Hindu believers, and more than 400 Baha'is. There is a small, hidden Christian community; estimates on its size range from 500 to 8,000. In addition, there are small numbers of adherents of other religious groups, mostly Buddhist foreigners. There is one known Afghan Jew.

Traditionally, the dominant religion has been Islam, and the sect of Sunni Islam that follows the Hanafi school of religious thought. For the last 200 years, much of the population adhered to Deobandi-influenced Hanafi Sunnism. The Dar-ul-Ulum (Institute of Higher Religious Education) at Deoband is a prominent Asian center of Sunni religious education. Many Afghan Sunni religious scholars have either studied at Dar-ul-Ulum Deoband themselves, or were trained by scholars who had studied there. A sizable minority of Afghans also adhered to orders of Islamic spirituality and mysticism, generally known as Sufism. Sufism centers on orders or brotherhoods (both Sunni and Shi'a) that follow charismatic religious leaders. During the 20th century, influence of the "Wahhabi" form of Islam grew in certain regions.

Members of the same religious groups have traditionally concentrated in certain regions. Some groups were displaced forcibly by kings for internal security reasons or to make agricultural and grazing land available to favored ethnic groups. Sunni Muslim Pashtuns dominate the south and east. The homeland of the Shi'a Hazaras is in the Hazarajat, the mountainous central highland provinces around Bamyan Province. Northeastern provinces traditionally have Ismaili populations. Other areas, including Kabul, the capital, are more heterogeneous and include Sunni, Shi'a, Hindu, Sikh, and Baha'i populations. The northern city of Mazar-e-Sharif includes a mix of Sunnis (including ethnic Pashtuns, Turkmen, Uzbeks, and Tajiks) and Shi'a (Hazaras and Qizilbash) including Shi'a Ismailis.

In the past, small communities of Hindus, Sikhs, Baha'is, Jews, and Christians lived in the country, although most members of these communities emigrated during the years of civil war and Taliban rule. Non-Muslim minorities were estimated to number in the hundreds at the end of Taliban rule. A small population of native Hindus and Sikhs never departed. Since the fall of the Taliban, some members of religious minorities have returned, with many settling in Kabul.

Nuristanis, a small but distinct ethnolinguistic group living in a mountainous eastern region, practiced an ancient polytheistic religion until they converted to Islam in the late 19th century. Some non-Muslim religious practices survive today as folk customs, though the Nuristanis are Muslims.

There are two active gurdwaras (Sikh places of worship) in Kabul, and six Hindu mandirs (temples) in four cities. Two mandirs are located in Kabul. Eighteen others were destroyed or rendered unusable due to looting during wartime.

There is one Christian church and one synagogue. Some citizens who converted to Christianity as refugees have returned. Others may have been born abroad into other religious groups. The Baha'i faith has had followers in the country for approximately 150 years. The community is predominantly based in Kabul, where more than 300 Baha'i members live; another 100 are said to live in other parts of the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

Full and effective enforcement of the new constitution is an ongoing challenge due to potentially contradictory commitments it contains, and the lack of a tradition of judicial review.

The constitution was ratified in January 2004. It includes a mandate to abide by the Universal Declaration of Human Rights and obliges the state to "create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes." Followers of other religions are "free to exercise their faith and perform their religious rites within the limits of the provisions of the law."

The constitution requires that the president and vice president be Muslim and does not distinguish in this respect between Sunni and Shi'a. This requirement is not explicitly applied to government ministers or members of parliament, but each of their oaths includes swearing allegiance and obedience to the principles Islam.

The constitution also declares that Islam is the official "religion of the state," that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam," and that "the provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended." For issues on which the constitution and penal code are silent (including conversion and blasphemy), courts rely on Shari'a law--some interpretations of which conflict with the mandate to abide by the Universal Declaration of Human Rights.

While the constitution does not make specific reference to Shari'a, it does state that when there is no provision in the constitution or other laws that guide ruling on an issue, the courts' decisions shall accord with Hanafi jurisprudence in the way that will serve justice in the best possible manner. The constitution also grants that Shi'a law will be applied in cases dealing with personal matters where all parties are Shi'as. There is no separate law applying to non-Muslims.

During the reporting period, the president signed a Shi'a Family Law that contained provisions many national and international observers believe violated the constitution’s guarantee of equal rights to men and women. Under national and international pressure, the president agreed to halt enactment of the law until the Ministry of Justice had reviewed and amended the law. The review process was ongoing at the end of the reporting period. In protest against the original version of the law, some women demonstrated publicly in Kabul by marching and chanting slogans. Supporters of the law (also including women) held a larger counter-demonstration. Afghan authorities permitted and protected both demonstrations. No serious injuries were reported.

Conversion from Islam is considered apostasy and is punishable by death under some interpretations of Shari'a. A citizen who converted from Islam (if a male over age 18 or a female over age 16, who is of sound mind) would have three days to recant his or her conversion or be subject to death by hanging. Individuals could also be stripped of all their property and possessions and have their marriage declared invalid. The Afghan Criminal Code does not define apostasy as a crime, and the constitution forbids punishment for any crime not defined in the criminal code. In recent years, neither the national nor local authorities have imposed criminal penalties on converts from Islam.

Blasphemy is a capital crime under some interpretations of Shari'a, and according to such interpretations, an Islamic judge could punish blasphemy with death, if committed by a male over age 18 or a female over age 16, who is of sound mind. Those accused of blasphemy are given three days to recant their actions or face death by hanging. In recent years, this sentence has not been carried out.

The General Directorate of Fatwas and Accounts under the Supreme Court has ruled that the Baha’i faith is distinct from Islam and a form of blasphemy. It holds that all Muslims who convert to the Baha'i faith are apostates and all followers of the Baha'i faith are infidels. The ruling created uncertainties for the country's small Baha'i population, particularly on the question of marriages between Baha'i women and Muslim men. Citizens who convert from Islam to the Baha'i faith face risk of persecution, similar to that of Christian converts, up to and including the death penalty. Also unclear is how the government will treat second-generation Baha'is who technically have not converted, as they were born into families of Baha'i followers, but may still be viewed as having committed

blasphemy. The ruling was not expected to affect foreign national Baha'is.

According to Afghan laws on marriage, non-Muslims do not have the right to marry whether born in the country or elsewhere. According to government officials, the court nevertheless considers all citizens to be Muslims by default, and therefore non-Muslims can be married as long as they do not publicly acknowledge their non-Muslim beliefs. In addition, the judges stated that a Muslim man may marry a non-Muslim woman, but if she is not "of the book," i.e., is not Christian or Jewish, she must first convert. Moreover, a Muslim woman is not allowed to marry a non-Muslim man.

Only Islamic holy days are celebrated as public holidays. The Shi'a community openly celebrated the birthday of Imam Ali, one of the most revered figures in the Shi'a tradition. Observations of the Shi'a holiday of Ashura in January 2008 and January 2009 were widespread and peaceful. In previous years, Ashura celebrations triggered violence in the cities of Kabul and Herat.

The government continued to update the existing criminal and civil legal codes to bring them in line with the country's international treaty obligations. Chapter 18 of the Penal Code of 1976 addresses "Crimes Against Religions," although it does not address blasphemous remarks. Article 347 of the Penal Code says persons who forcibly stop the conduct of religious rituals and persons who destroy or damage permitted places of worship where religious rituals are conducted or who destroy or damage any sign or symbol of any religion shall be subject to a medium-term prison sentence (defined in Article 101 of the Afghan Criminal Code as confinement in a jail for not less than one, nor more than five years) and/or a cash fine of between $240 and $1,200 (12,000 and 60,000 Afghanis). There is nothing in the penal code related to the spoken or written utterance of insults or profanity against God, religion, sacred symbols, or religious books.

There are no laws that forbid proselytizing, although many authorities and most of society view the practice as contrary to the beliefs of Islam. There were unconfirmed reports of harassment of Christians thought to be involved in proselytizing. They reveal their faith to those they trust, but are careful not to be viewed as seeking to spread their faith to the larger community.

The constitution protects freedom of expression and of the press. The Afghan Mass Media Law, which included negative articles with respect to the freedoms of religion and expression, was vetoed by President Karzai and returned to parliament's Lower House in December 2007 for further consideration.

On September 6, 2008, two-thirds of parliament voted to override the president's veto. However, as of the end of the reporting period, the Ministry of Justice has not published the law in its official gazette. At the end of the reporting period, the media bill was still in the president’s office.

Under Article 45 of the law sent to the parliament, the following are prohibited: works and materials that are contrary to the principles of Islam; works and materials offensive to other religions and sects; works and materials humiliating or offensive to real or legal persons; works and materials considered libelous to real and legal persons and that may cause damage to their personality and credibility; works and materials affecting the stability, national security, and territorial integrity of the country; false literary works, materials, and reports disrupting the public’s mind; propagation of religions other than Islam; disclosure of identity and pictures of victims of violence and rape in a manner that damages their social prestige, and articles and topics that harm the physical, spiritual, and moral well-being of people, especially children and adolescents.

Also under the media law, the proprietors of newspapers, printers, and electronic media companies must be licensed by and registered with the Ministry of Information and Culture. This formalizes in Afghanistan’s written law a prohibition on the use of mass media to attempt to convert persons to religions other than Islam. Any attempt to convert a Muslim to another religion is already illegal under the constitution (which enshrines Shari'a law as the

basis no law shall contravene), whether through the mass media or otherwise.

The ambiguity surrounding what constitutes offensive material offers the potential for abuse to restrict press freedom and intimidate journalists. These rules also apply to non-Muslims and foreign-owned media outlets. The amended media law instructs National Radio and Television Afghanistan, the state-run media outlet, to provide balanced broadcasting that respects the culture, language, and religious beliefs of all ethnic groups in the country. The law also provides for a media violations commission responsible for receiving and investigating allegations of media law violations.

The Ulema Council, headed by former Supreme Court Chief Justice Fazl Hadi Shinwari, is a group of influential Sunni, Shi'a, and Sufi scholars, imams, and Muslim jurists from across the country reflecting the network of provincial ulema councils. Its senior members meet regularly with the president and advise him on Islamic moral, ethical, and legal issues. The council is nominally independent of the government, but its members receive financial support from the state. Through contacts with the presidential palace, the parliament, and ministries, the council or its members advise on the formulation of new legislation or the implementation of existing law. Although it is well represented in provincial capitals, the council has much less outreach in villages and rural areas.

In November 2007 the Ulema Council issued a declaration calling for moderation in freedom of expression and press freedom by urging individuals to avoid conduct that may be perceived as insulting to local traditions and religious values. The statement declared that "safeguarding our national honors and Islamic values is the obligation of every citizen." This declaration mirrors Article 1 of the constitution, enforced in high-profile cases such as the case of Parvez Kambakhsh, imprisoned for 20-years for distributing material from the internet questioning the condition of women in Islam.

The Afghan Independent Human Rights Commission (AIHRC) monitors high-profile religious freedom cases and receives and investigates complaints from the public. During the reporting period, all provincial police departments had human rights officers to investigate abuses, although many, like most other institutions, lacked adequate personnel and other resources.

The Ministry of Hajj and Islamic Affairs is the primary ministry handling religious affairs. The ministry's responsibilities include sending citizens on the Hajj pilgrimage, collecting endowment-related revenues, identifying and acquiring endowment-related property, providing religious teaching to children, issuing fatwas and testing imams, and raising public awareness of religious issues.

Both Sunnis and Shi'as were permitted to go on the Hajj, and the government imposed no quota for either group. The government sponsored approximately 2,000 Shi'as and 18,000 Sunnis to make the Hajj in 2008. Participants were selected by lottery. Another 10,000 people made the Hajj supported by private donations.

The licensing and registration of religious groups is not required, though the government registers mullahs. Mullahs working for the Ministry of Hajj and Islamic Affairs are generally proposed for registration by local residents and approved by the ministry. There are an estimated 160,000 mullahs working in the country. Of those, 3,250 are registered with and receive salaries from the ministry. There are an estimated 1,180 mullahs working in Kabul, of whom 628 receive salaries from the ministry (and are counted as part of the 3,250 national figure). Many mullahs are not registered due to lack of capacity and funding to support more mullahs at mosques, as well as security problems in the provinces. New mosques are either opened or built based on the government's development plans or based on proposals by local residents, then approved by the Ministry of Hajj and Islamic Affairs.

The Ministry of Education considers it the government's responsibility to offer tolerant and modern Islamic education for youth. In April 2007 the government began setting up its own madrassahs to reduce the number of

Afghan children studying at extremist madrassahs abroad, and to counter the influence of extremist elements operating in the countryside, including those through independent madrassahs. These schools plan to offer an alternative to the Taliban's use of education as a weapon of terrorism, but lack of funding has hindered these plans. Fourteen "high madrassahs" (called "Dar-ul-Ulum") were established in 2007 and eight in 2008, with a new high madrassah to eventually open in each of the country's 34 provinces. Lack of funding has slowed progress in opening more schools. The planned schools will accommodate up to 50,000 children and offer a curriculum consisting of 40 percent religious education, 40 percent general education, and 20 percent computer science and foreign languages.

The Ministry of Education requires that independent madrassahs be accredited and disclose their funding sources. Madrassahs that receive private or international donations not routed through the ministry are banned. According to the Ministry of Education, the government recently began soliciting donations for the support of madrassahs of all levels from Muslim countries and private individuals, including a request that the Kingdom of Saudi Arabia support an Afghan madrassah. The ministry representative cited Sheikh Zayed University in Khost Province as an example of the success of this policy. The university is completely funded by the United Arab Emirates. This system allows the government to control the provision of assistance to institutes of learning funded by known allies of Afghanistan.

The components of the educational system that survived more than 30 years of war place considerable emphasis on religion. The constitution states, "The state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develops the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan." The public school curriculum included Islamic content, but no content from other religious groups.

There was no restriction on parental religious teaching, and non-Muslims were not required to study Islam. The national curriculum and textbooks that emphasize moderate Islamic terms and principles steadily replaced the preaching of jihad in schools. The Ministry of Education began introducing human rights as a subject in the national school curriculum at the beginning of the school year in 2003 and extended it nationwide in 2004. New textbooks for grades one through six were distributed throughout the country. The Ministry of Education continues to work on a curriculum and texts for grades seven through twelve.

Since the fall of the Taliban, the government has not banned any political parties for religious reasons. The constitution allows for political parties provided that "the program and charter of the party are not contrary to the principles of the sacred religion of Islam." Afghan law does not permit political parties based on ethnicity, language, Islamic school of thought, or religion.

Restrictions on Religious Freedom

The government generally did not enforce existing legal restrictions on religious freedom vigorously or in a discriminatory fashion. There was no information available concerning restrictions on the general training of clergy. The government paid officially registered mullahs, but only a small number of active mullahs were registered, because the government's registration program operates on a limited budget and with a limited staff.

There were an unknown number of foreign missionaries in the country who worked discreetly to avoid harassment. There are no non-Islamic religiously oriented organizations in the country whose avowed purpose is proselytization. During the reporting period, there were a few reported incidents involving individuals attempting to proselytize, though no prosecutions arose from those incidents.

Despite reports of local government officials prohibiting music, movies, and television broadcasts on religious

grounds, the cable television audience in urban centers continued to expand; and televisions, radios, and other electronic goods were sold freely. Music was played widely. Government officials publicly criticized private media outlets for broadcasting material that was "un-Islamic," such as footage of women dancing in music videos or live musical performances.

Nongovernmental radio stations broadcast a mix of Afghan, Indian, Pakistani, and Western music. Approximately 90 percent of the country's inhabitants reported some access to radio. Broadcasts had no religious content other than brief prayers and Qur'an readings on the government-controlled radio station.

Many in the Sikh and Hindu communities chose to send their children to Sikh and Hindu schools (or no school at all) because of reported abuse and harassment by other students in government-run schools. There are no Christian or Jewish schools.

As in previous years, Hindus complained of not being able to cremate the remains of their dead in accordance with their customs due to interference by those who lived near the cremation sites. The government continued to intervene to protect the Hindus' (and Sikhs') right to carry out cremations. Although community representatives expressed concerns over land disputes, they often chose not to pursue restitution through the courts for fear of retaliation, particularly when powerful local leaders occupied their property. There were no known reports of discrimination against Hindus by the government.

The government provides free electricity to mosques. The Sikh and Hindu communities lobbied the government to provide free electricity to their gurdwaras and temples; however, the government had not addressed these concerns as of the end of the reporting period.

There are no legal restrictions on the import of religious texts, but there was at least one instance during the reporting period of the government destroying books on Shi'ism. The Ministry of Culture and Youth Affairs announced on May 27, 2009, that it had seized and destroyed 1,000 books on Shi'ism in late 2008 in Nimruz Province after the books came into Afghanistan. The books had been printed in Iran, and ordered by booksellers in Kabul. The ministry announced that the books had been thrown into a river as "dangerous to the unity of Afghanistan" because they contained interpretations of religion that were offensive to Sunni Muslims.

The government does not designate religion on national identity cards and does not require individuals to declare belief in Islam to receive citizenship. However, the state, including the courts, traditionally considers all citizens to be Muslim; therefore, some basic citizenship rights of non-Muslims were not explicitly codified.

Abuses of Religious Freedom

Officials took actions that violated the religious freedom of some individuals or groups.

In September 2008 a Kabul primary court sentenced Ghaus Zalmai and Mullah Qari Mushtq to 20 years' imprisonment for publishing a Dari-language translation of the Qur'an without the accompanying Arabic verses for comparison. Religious scholars had alleged the translation was also un-Islamic for misinterpreting verses about alcohol, begging, homosexuality, and adultery. Protests calling for Zalmai's and Mushtq's punishment were held in various towns, including a November 2007 demonstration in Jalalabad of reportedly more than 1,000 university students who demanded the death penalty for the two men. On February 15, 2009, a Kabul appeals court affirmed the 20-year prison sentences. Lawyers for Zalmai and Mushtq immediately filed an appeal to the Afghan Supreme Court, though the case had not been heard by the end of the reporting period.

In October 2007 police arrested Sayed Perwiz Kambakhsh, a student at Balkh University and a journalist for *Jahan-e Naw* (New World) daily, after he allegedly downloaded and distributed information from the Internet regarding the

role of women in Islamic societies. In January 2008 a local court sentenced him to death for "insolence to the Holy Prophet," basing its decision on Shari'a law. Kambakhsh immediately appealed the decision, and the Attorney General's office moved the case to the Kabul Appeals Court. After several days of hearings, in October 2008 a Kabul appeals court in a closed proceeding commuted the death sentence to a 20-year prison sentence without notifying Kambaksh's defense attorney. International and national actors have urged the president to use his constitutional authority to pardon Kambakhsh, but at the end of the reporting period Kambakhsh remained in prison.

In May 2007 the General Directorate of Fatwas and Accounts under the Supreme Court issued a ruling on the status of the Baha'i faith, declaring it distinct from Islam and a form of blasphemy. There have been no cases cited under this ruling since its issuance.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

There were reported abuses targeted at specific religious groups by terrorist organizations, including al-Qa'ida and Taliban networks, during the period covered by this report. As in previous years, killings of religious leaders and attacks on mosques were attributed to al-Qa'ida and Taliban members. Sources report that anti-government elements continued to target religious leaders based on their links to the government or their particular interpretations of Islam.

According to the AIHRC, in 2008 insurgents assassinated at least ten religious leaders due to their links to the government. In November 2008 the Taliban killed a religious leader in Farah Province days after he led prayers condemning suicide attacks.

There were also attacks on both Muslim and non-Muslim employees of international organizations, but it is unclear whether these attacks were politically or religiously motivated.

Political motivations appeared to be the primary impetus behind insurgent attacks on schools. In December 2008, the Afghan Independent Human Rights Commission reported that in the last seven months of 2008, the Taliban assassinated 226 teachers and students; the Ministry of Education reported the number at 149. In June 2009 insurgents burned a school in the Khash Road District of Nimroz Province. In a May 2009 interview, Helmand's Deputy Minister of Education Mamoud Mohammed Wali said that in Helmand Province alone, insurgents had forced 75 of 228 public schools to close, and burned eight public schools to the ground. This included the burning of a girls' school in Nad Ali District in February 2009 and the closure of another public school after the assassination of a teacher in the same district.

Improvements and Positive Developments in Respect for Religious Freedom

The government continued to stress reconciliation and cooperation among all citizens. Although it was concerned primarily with reconciliation of former Taliban combatants, it also expressed concern about religious intolerance. The government responded positively to international approaches on human rights, including religious freedom. The government continued to emphasize ethnic and intrafaith reconciliation indirectly through support to the judicial, constitutional, and human rights commissions composed of members of different ethnic and Islamic religious (Sunni and Shi'a) groups. The Ministry of Women's Affairs and the Ministry of Hajj and Islamic Affairs worked together to give women the opportunity to attend mosques.

After participating in civil society or human rights training, some mullahs began incorporating these messages into their teachings.

Immigrants and noncitizens were free to practice their own religions. In Kabul, 200 to 300 expatriates met regularly at Christian worship services in private locations. There is only one Christian church in the country. It is located within the diplomatic enclave, and not open to local nationals. Buddhist foreigners were free to practice in temples established for the Buddhist immigrant community.

The government provided limited funding or assistance for Sikh schools. In July 2007, the Ministry of Education opened a school for Sikh and Hindu children in Ghazni Province. A Sikh school in Kabul has been run privately and without assistance from the government for several years.

Members of the Hindu and Sikh communities reported that they no longer apply for government jobs because of past discrimination. President Karzai appointed one Sikh member to the upper house of parliament. The Hindu and Sikh communities have lobbied to have one seat each designated for a Hindu and a Sikh representative in parliament. They point out that ten seats are reserved for the ethnic minority Kuchi community and that their communities should also have reserved representation.

Section III. Status of Societal Respect for Religious Freedom

Relations between the different branches of Islam continued to be difficult. Historically, the minority Shi'a faced discrimination from the Sunni population. Since Shi'a representation has increased in government, overt discrimination by Sunnis against the Shi'a community decreased. Sunni resentment over growing Shi'a influence was expressed widely often linked to claims of Iranian efforts to influence local culture and politics.

Most Shi'a were members of the Hazara ethnic group, which was traditionally segregated from the rest of society for a combination of political, ethnic, and religious reasons, some of which resulted in conflicts. The Hazaras accused the government, led by Pashtuns, of providing preferential treatment to Pashtuns and of ignoring minorities, especially Hazaras. The government made significant efforts to address historical tensions affecting the Hazara community, including affirmative hiring practices. Although there were reported incidents of unofficial discrimination, and treatment varied by locality, Shi'a generally were free to participate fully in public life.

According to a recent United Nations High Commission for Refugees (UNHCR) report, Ismailis were not generally targeted or seriously discriminated against, but they continued to be exposed to risks in some local areas.

Non-Muslim minorities such as Sikhs, Hindus, and Christians continued to face social discrimination and harassment and, in some cases, violence. This treatment was not systematic, but the government was not able to improve conditions during the reporting period. The Hindu population, which is less distinguishable than the Sikh population (whose men wear a particular headdress), faced less harassment, although Hindus reported being harassed by neighbors in their communities. The Sikh and Hindu communities, although allowed to practice their faith publicly, reportedly continued to face discrimination, including intimidation, causing some to leave the country. Although Hindus and Sikhs had recourse to dispute resolution mechanisms such as the Special Land and Property Court, in practice the communities felt unprotected.

Some Sikh and Hindu children were unable to attend government schools due to harassment from other students. The government took limited steps to protect these children and reintegrate them into the classroom environment. The AIHRC reported that members of the Hindu community in Kandahar City faced discrimination in schools and asked the local government to build a separate school for Sikh and Hindu children. The government did not do so during the reporting period.

Local religious officials continued to confront women over their attire and behavior. In rural areas, many women when they are in public wear a burqa that covers their full body and face, including the eyes. Since the fall of the Taliban, many women in urban areas no longer wear the burqa, but almost all wear some form of head covering either by personal choice or due to community pressure.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with government officials as part of its overall policy to promote human rights.

U.S. representatives met regularly with government officials and with religious and minority figures in an ongoing dialogue regarding the political, legal, religious, and human rights context of the country's reconstruction. The U.S. government worked with civil society organizations to promote religious tolerance.

The U.S. embassy actively promoted professional and cultural ties between local citizens and the United States. The public affairs section coordinated a variety of exchange, speaker, artistic, and information programs to generate an exchange of ideas between Americans and local citizens on democracy and civil society, human rights, Islam in America, and other subjects. The United States funded travel by local journalists, academics, politicians, government officials, religious scholars, community leaders, women, youth, and non-governmental organization (NGO) officials to engage with their counterparts in the United States.

Though there were no visits by mullahs to the United States on International Visitor Leadership Programs between 2005 and 2008, the U.S. embassy accepted nominees for two Fiscal Year 2009 visitors programs that will focus on religious leaders and encourage religious freedom.

Some Provincial Reconstruction Teams (PRTs) provided assistance through U.S. military Commanders' Emergency Response Program (CERP) funds to assist in repairing madrassahs for local communities. During the reporting period, the U.S. military planned projects to assist in repairing, refurbishing, or providing supplies and equipment to nine madrassahs and 83 mosques.

The U.S. government worked with civil society organizations to promote religious tolerance. During the reporting period, the U.S. government provided funding for radio programming and training of religious, elected, and community leaders on the theme of "Human Rights and Women's Rights in the Context of Islam," developed and implemented by the NGO Equal Access. To date, more than 400 religious and community leaders have been trained. The U.S. government also provided funding for eight roundtable discussions with ulemas and mullahs focused on their perceptions of civil society and their own role in its development. Sixty-four religious leaders, including 11 women, participated.